

29 MAR 2000



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

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In re Application of
Hochet et al.
Application No.: 09/445356
PCT No.: PCT/FR99/00811
Int. Filing Date: 08 April 1999
Priority Date: 10 April 1998
Attorney's Docket No.: VEI0318PUSA
For: A Method of Making a Sandwich-Type
Composite Panel Having a Hinge, and a
Panel Obtained by Performing Such a Method

COMMUNICATION

This application is before the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 08 April 1999, applicants filed international application PCT/FR~~99~~99/00811, claiming priority of an earlier application filed on 10 April 1998. The International Bureau transmitted a copy of the international application to the United States Patent and Trademark Office on 21 October 1999. No Demand for international preliminary examination electing the United States appears to have been filed prior to the elapse of 19 months from the priority date. Accordingly, the twenty-month period for paying the basic national fee in the United States expired as of midnight on 10 December 1999.

On 10 December 1999, applicants filed, *inter alia*, the required basic national fee, a Transmittal Letter concerning a filing under 35 U.S.C. 371, a purported English translation of the international application, a preliminary amendment, and a fee calculation sheet.

On 01 March 2000, applicants filed a transmittal letter, an executed declaration and power of attorney, a recordation form cover sheet, and an assignment.

DISCUSSION

Review of the record reveals that the transmittal letter filed on 10 December 1999 identified the international application number to which it was directed as "PCT/FR98/00811", but referred to an international application having an international filing date of 08 April 1999, was accompanied by a purported translation of PCT/FR~~99~~/00811, and was accompanied by a fee sheet which referred to PCT/FR~~99~~/00811. Meanwhile, the declaration filed on 01 March 2000 is directed to PCT/FR~~99~~/00811, whose international filing date is 08 April 1999. Consideration of all of these facts suggests that this application corresponds to PCT/FR~~99~~/00811.

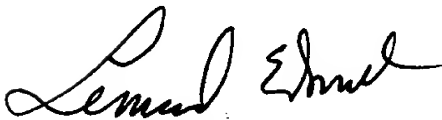
However, the Transmittal Letter submitted by applicants misidentified the international application number as "PCT/FR98/00811." Based on applicant's error, a national stage application file was created for PCT/FR98/00811, rather than for PCT/FR99/00811.

CONCLUSION

In order to continue processing of the national stage application for PCT/FR99/00811, applicant must bring a petition under 37 CFR 1.182 to correct the error in the Transmittal Letter (Form PTO-1390) submitted on 10 December 1999. Such a petition must be accompanied by the proper petition fee and by a corrected version of the Transmittal Letter (Form PTO-1390).

Applicant is given **TWO (2) MONTHS** from the mail date of this Communication to submit the required petition. Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the International Division, Legal Staff.



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